

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

Kelly M. Haney
Debtor(s)

Bankruptcy Case No.: 17-20518-GLT
Issued Per 2/25/2021 Proceeding
Chapter: 13
Docket No.: 127 - 122
Concil. Conf.: February 25, 2021 at 02:00 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated 12/30/2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☒ B. The length of the Plan is increased to a total of 49 months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Feb. 25, 2021 at 02:00 PM, in remotely by the Trustee via Zoom, how to participate: goto www.ch13pitt.com, meetings@chapter13trusteewdpa.com.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: (1) Debtor to resume LTCD April, 2021.

(2) Debtor to make lump sum payment in the amount of \$7,700.00 within 30 days. payment comes from Debtor's workers comp settlement.

(3) Plan completion contingent on final audit. Debtor must pay in any amount determined to be necessary to complete plan and plan goals.

(4) Plan includes payment to unsecured creditors, in accordance with order at Docket No. 120.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

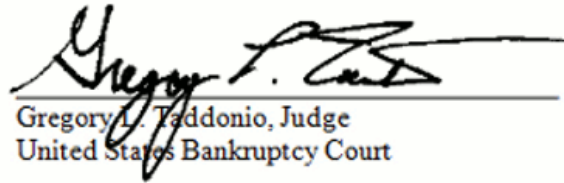
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: February 26, 2021

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
Kelly M. Haney
Debtor

Case No. 17-20518-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Feb 26, 2021

User: dbas
Form ID: 149

Page 1 of 3
Total Noticed: 30

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 28, 2021:

Recip ID	Recipient Name and Address
db	+ Kelly M. Haney, 7 Barton Drive, Pittsburgh, PA 15221-2517
sp	+ James C. Ward, Porta-Clark & Ward, LLC, 100 Fleet Street, Suite 101, Pittsburgh, PA 15220-2918
cr	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
14363504	++ CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034 address filed with court:, Childrens Place/Citicorp Credit Services, Attn: Citicorp Credit Services, Po Box 20507, Kansas City, MO 64195
14363505	+ Citibank / Sears, Citicorp Credit Services/Attn: Centraliz, Po Box 790040, Saint Louis, MO 63179-0040
14363509	+ Credit First National Assoc, Attn: BK Credit Operations, Po Box 81315, Cleveland, OH 44181-0315
14363513	+ Kay Jewelers/Sterling Jewelers Inc., Sterling Jewelers, Po Box 1799, Akron, OH 44309-1799
14363514	+ Ocwen Loan Servicing, Llc, Attn: Research/Bankruptcy, 1661 Worthington Rd Ste 100, West Palm Bch, FL 33409-6493
14421207	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 North Lincoln Avenue, Pittsburgh, PA 15233-1828
14363517	+ Santander Consumer USA, Po Box 961245, Ft Worth, TX 76161-0244
14363516	+ Santander Consumer USA, Santander Consumer USA, Po Box 961245, Fort Worth, TX 76161-0244
14363519	+ Visa Dept Store National Bank, Attn: Bankruptcy, Po Box 8053, Mason, OH 45040-8053
14363520	+ Wells Fargo Home Projects Visa, Written Correspondence Resolutions, Mac#X2302-04c Po Box 10335, Des Moines, IA 50306-0335

TOTAL: 13

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
14363501	Email/Text: ally@ebn.phinsolutions.com	Feb 27 2021 01:50:00	Ally Financial, Attn: Bankruptcy, Po Box 38090, Bloomington, MN 55438
14643718	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Feb 27 2021 01:58:31	Bureaus Investment Group Portfolio No 15 LLC, c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
14363504	Email/PDF: Citi.BNC.Correspondence@citi.com	Feb 27 2021 01:56:44	Childrens Place/Citicorp Credit Services, Attn: Citicorp Credit Services, Po Box 20507, Kansas City, MO 64195
14363502	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Feb 27 2021 01:58:28	Capital One, Attn: General Correspondence/Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
14363505	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Feb 27 2021 01:56:44	Citibank / Sears, Citicorp Credit Services/Attn: Centraliz, Po Box 790040, Saint Louis, MO 63179-0040
14363506	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Feb 27 2021 01:50:00	Comenity Bank/Ann Taylor, Po Box 182125, Columbus, OH 43218-2125
14363507	Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Feb 27 2021 01:50:00	Comenity Bank/Express, Po Box 18215, Columbus, OH 43218
14363508	Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Feb 27 2021 01:50:00	Comenity Bank/Victoria Secret, Po Box 18215, Columbus, OH 43218

District/off: 0315-2

User: dbas

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14363510	+ Email/PDF: pa_dc_ed@navient.com	Feb 27 2021 01:54:44	Dept Of Ed/Navient, Attn: Claims Dept, P.O. Box 9635, Wilkes Barr, PA 18773-9635
14641824	+ Email/Text: kburkley@bernsteinlaw.com	Feb 27 2021 01:52:00	Duquesne Light Company, c/o Peter J. Ashcroft,, Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,, Pittsburgh, PA 15219-1945
14363512	+ Email/Text: bankruptcy@huntington.com	Feb 27 2021 01:51:00	Huntington Natl Bk, Bankruptcy Notifications, Po Box 340996, Columbus, OH 43234-0996
14363503	Email/PDF: ais.chase.ebn@americaninfosource.com	Feb 27 2021 01:54:39	Chase Mortgage, 3415 Vision Dr, Columbus, OH 43219
14653874	Email/PDF: pa_dc_claims@navient.com	Feb 27 2021 01:54:44	Navient Solutions, LLC on behalf of, Department of Education Loan Services, PO BOX 9635, Wilkes-Barre, PA 18773-9635
14363515	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Feb 27 2021 01:56:33	Portfolio Recovery, Po Box 41067, Norfolk, VA 23541
14656501	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Feb 27 2021 01:54:43	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
14373391	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Feb 27 2021 01:56:32	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14363518	+ Email/Text: jennifer.chacon@spservicing.com	Feb 27 2021 01:52:00	Select Portfolio Servicing, Inc, Po Box 65250, Salt Lake City, UT 84165-0250
14380247	+ Email/Text: bankruptcy@huntington.com	Feb 27 2021 01:51:00	The Huntington National Bank, 111 Cascade Plaza 3rd FL, Akron, OH 44308-1124
14380250	+ Email/Text: bankruptcy@huntington.com	Feb 27 2021 01:51:00	The Huntington National Bank, P.O. Box 89424, Cleveland, OH 44101-6424

TOTAL: 19

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Duquesne Light Company
cr		Wells Fargo Bank, National Association, as Trustee
cr	*+	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14656275	*	Select Portfolio Servicing, Inc., P.O. Box 65250, Salt Lake City, UT 84165-0250
14363511	##+	Equiant Financial Svcs, Attn: Bankruptcy Dept, 5401 N Pima Rd, Scottsdale, AZ 85250-2630

TOTAL: 2 Undeliverable, 2 Duplicate, 1 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 28, 2021

Signature: /s/Joseph Speetjens

District/off: 0315-2

User: dbas

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Date Rcvd: Feb 26, 2021

Form ID: 149

Total Noticed: 30

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 26, 2021 at the address(es) listed below:

Name	Email Address
Albert G. Reese, Jr.	on behalf of Debtor Kelly M. Haney areese8897@aol.com agreese8897@gmail.com;r41196@notify.bestcase.com;agrlaw8897@gmail.com
Brian Nicholas	on behalf of Creditor Wells Fargo Bank National Association, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2005-HE5, Mortgage Pass-Through Certificates, Series 2005-HE5 bnicholas@kmlawgroup.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Peter J. Ashcroft	on behalf of Creditor Duquesne Light Company pashcroft@bernsteinlaw.com ckutch@ecf.courtdrive.com;acarr@bernsteinlaw.com
Ronda J. Winnecour	cmecf@chapter13trusteewdpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com
Thomas I. Puleo	on behalf of Creditor Wells Fargo Bank National Association, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2005-HE5, Mortgage Pass-Through Certificates, Series 2005-HE5 tpuleo@goldbecklaw.com, BKGroup@goldbecklaw.com

TOTAL: 7